

HOUSE BILL 475

L2, G1

2lr2096

By: **St. Mary's County Delegation**

Introduced and read first time: February 2, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **St. Mary's County – Redistricting Board – Revisions**

3 FOR the purpose of requiring a Redistricting Board to be appointed in St. Mary's
4 County following each decennial census of the United States; requiring the
5 Board to be appointed between certain dates and in the year following each
6 decennial census; requiring the Board to be composed of certain appointees;
7 requiring a certain County Commissioner to appoint a person to fill a certain
8 vacancy; requiring each member of the Board to be a registered voter and a
9 resident of St. Mary's County; prohibiting a certain person from serving as a
10 member of the Board; requiring the Board to propose a certain redistricting
11 plan; requiring the Board to elect a chair and hold certain meetings; authorizing
12 the Board to solicit advice from certain experts, hold public forums, and request
13 that the Board of County Commissioners of St. Mary's County provide certain
14 assistance; requiring that the proceedings and records of the Board comply with
15 certain laws; requiring the Board to conduct certain public hearings; specifying
16 that notice of certain hearings be given in accordance with certain
17 requirements; requiring the Board to prepare and submit a redistricting plan to
18 the Board of County Commissioners by a certain date and after public hearings
19 have been held; specifying that a redistricting plan becomes effective for a
20 certain election a certain number of days after the plan is submitted to the
21 Board of County Commissioners; providing that a Board appointed before a
22 certain date is conclusively presumed to have been lawfully constituted and that
23 a certain redistricting plan is conclusively presumed to have become law; and
24 generally relating to the Redistricting Board in St. Mary's County.

25 BY repealing

26 The Public Local Laws of St. Mary's County

27 Section 26–2

28 Article 19 – Public Local Laws of Maryland

29 (2007 Edition and January 2011 Supplement, as amended)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to
2 The Public Local Laws of St. Mary's County
3 Section 26-2
4 Article 19 – Public Local Laws of Maryland
5 (2007 Edition and January 2011 Supplement, as amended)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article 19 – St. Mary's County**

9 **[26-2.**

10 A. Within one (1) year after the inauguration of the Commissioners
11 following the 1974 general election, a Redistricting Board shall be created. The Board
12 shall be composed of one (1) appointee of each County Commissioner, and none shall
13 be employees of the county. The Board shall convene not later than six (6) months
14 after appointment to organize and elect a Chairman from among its members.

15 B. The Redistricting Board shall establish the boundaries of the four (4)
16 Commissioner Districts after due consideration and investigation within reasonable
17 and lawful guidelines. The Redistricting Board shall set and conduct public hearings
18 in each of the proposed four (4) Commissioner Districts after tentative district
19 boundaries have been drawn and defined. Notice of public hearings giving time, date
20 and place shall be published in two (2) county newspapers ten (10) days prior to the
21 public hearings. After all public hearings have been held and a final draft of the
22 redistricting plan has been completed, the Board shall submit the redistricting plan to
23 the county Commissioners not later than eighteen (18) months from the date of their
24 first meeting. This plan shall then become law unless the plan is set aside by a court of
25 law with proper jurisdiction.

26 C. Necessary clerical assistance may be provided to assist the Redistricting
27 Board by the County Commissioners. Compensation for the members of the
28 Redistricting Board shall be set by the Board of County Commissioners in an amount
29 not to exceed twenty-five dollars (\$25.00) per day for each Board member in
30 attendance.

31 D. The above method of redistricting shall be in force following each general
32 election after publication of the national census each ten (10) years.]

33 **26-2.**

34 **A. FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, A**
35 **REDISTRICTING BOARD SHALL BE APPOINTED. A REDISTRICTING BOARD**
36 **SHALL BE APPOINTED AFTER JANUARY 1, 2013, AND BEFORE MARCH 1, 2013,**
37 **AND BETWEEN JANUARY 1 AND MARCH 1 IN THE YEAR FOLLOWING EACH**

1 DECENNIAL CENSUS. THE BOARD SHALL BE COMPOSED OF ONE (1) APPOINTEE
2 MADE BY EACH MEMBER OF THE BOARD OF COUNTY COMMISSIONERS. IN THE
3 EVENT OF A VACANCY BY DEATH, RESIGNATION, OR OTHER CAUSE, THE COUNTY
4 COMMISSIONER WHO MADE THE VACATED APPOINTMENT SHALL APPOINT A
5 PERSON TO FILL THE VACANCY. EACH MEMBER OF A REDISTRICTING BOARD
6 SHALL BE A REGISTERED VOTER AND A RESIDENT OF ST. MARY'S COUNTY. NO
7 PERSON HOLDING AN OFFICE OR POSITION OF PROFIT AND TRUST OR
8 EMPLOYEE OF ST. MARY'S COUNTY OR THE STATE OF MARYLAND SHALL BE
9 ELIGIBLE TO SERVE AS A MEMBER OF A REDISTRICTING BOARD.

10 B. THE REDISTRICTING BOARD SHALL PROPOSE, AFTER DUE
11 CONSIDERATION AND INVESTIGATION, A REDISTRICTING PLAN DRAWING AND
12 DEFINING REASONABLE AND LAWFUL BOUNDARIES OF THE FOUR (4) DISTRICTS
13 FOR THE SUBSEQUENT ELECTIONS OF COUNTY COMMISSIONERS. THE
14 REDISTRICTING BOARD SHALL ELECT A CHAIR; SHALL HOLD SUCH MEETINGS
15 AS MAY BE NECESSARY; MAY SOLICIT THE ADVICE OF ACADEMIC, LEGAL, AND
16 OTHER EXPERTS; AND MAY HOLD PUBLIC FORUMS. THE REDISTRICTING BOARD
17 MAY REQUEST THAT THE BOARD OF COUNTY COMMISSIONERS PROVIDE SUCH
18 TECHNICAL, ADMINISTRATIVE, AND CLERICAL ASSISTANCE AS THE
19 REDISTRICTING BOARD MAY CONSIDER NECESSARY. ALL PROCEEDINGS AND
20 RECORDS OF THE REDISTRICTING BOARD SHALL COMPLY WITH THE
21 MARYLAND PUBLIC INFORMATION ACT AND THE ST. MARY'S COUNTY OPEN
22 MEETINGS ACT, AS THESE ACTS MAY BE AMENDED FROM TIME TO TIME.

23 C. AFTER PRELIMINARY DISTRICT BOUNDARIES HAVE BEEN DRAWN
24 AND DEFINED, THE REDISTRICTING BOARD SHALL CONDUCT AT LEAST ONE (1)
25 PUBLIC HEARING IN EACH OF THE FOUR (4) PROPOSED COMMISSIONER
26 DISTRICTS. NOTICE OF PUBLIC HEARINGS SHALL BE GIVEN IN ACCORDANCE
27 WITH THE REQUIREMENTS FOR PUBLIC HEARINGS BY THE BOARD OF COUNTY
28 COMMISSIONERS.

29 D. AFTER PUBLIC HEARINGS HAVE BEEN HELD, THE REDISTRICTING
30 BOARD SHALL PREPARE AND SUBMIT A REDISTRICTING PLAN TO THE BOARD
31 OF COUNTY COMMISSIONERS BY DECEMBER 31 OF THE YEAR IN WHICH THE
32 REDISTRICTING BOARD IS CREATED.

33 E. SIXTY (60) DAYS AFTER SUBMISSION OF THE REDISTRICTING PLAN
34 TO THE BOARD OF COUNTY COMMISSIONERS, THE PLAN SHALL BECOME THE
35 DISTRICTS FOR THE SUBSEQUENT ELECTION OF COUNTY COMMISSIONERS IN
36 ACCORDANCE WITH LAW.

37 F. ANY REDISTRICTING BOARD APPOINTED BEFORE OCTOBER 1,
38 2012, SHALL BE CONCLUSIVELY PRESUMED TO HAVE BEEN LAWFULLY
39 CONSTITUTED, AND ANY REDISTRICTING PLAN SUBMITTED TO THE BOARD OF

1 COUNTY COMMISSIONERS BEFORE THAT DATE SHALL BE CONCLUSIVELY
2 PRESUMED TO HAVE BECOME LAW.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2012.